

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Argenta

Application No. 09/026,353

Attorney Docket No.0101-P00636USS

Filed: February 19, 1998

For: WOUND TREATMENT EMPLOYING
REDUCED PRESSURE

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER OF PATENTS, Alexandria, VA 22313-1450

August 15, 2003
Date of Certificate

Cristin Donahue
Cristin Donahue

Commissioner of Patents
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56,
Applicants are submitting herewith a Form PTO-1449 and a copy of the references
listed thereon.

Applicants respectfully request full and proper consideration of the listed
information during examination of the application, and that the listed information be
printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By

Niels Haun

Niels Haun

PTO Registration No. 48,488

Telephone: (215) 563-4100

Facsimile: (215) 563-4044

Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3700

**INFORMATION
DISCLOSURE
STATEMENT**



SHEET 1 OF 5

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3
USPTO

UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0620720	Europe	03/18/1998	
		2195255	GB	04/07/1988	

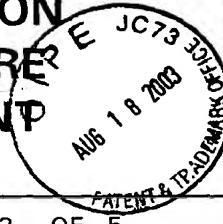
OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Banwell P, Withey S, Holten I. The use of negative pressure to promote healing [letter; comment]. <i>Brit J Plast Surg</i> 1998;51:79
		Bier A. "Hyperemia by suction apparatus", <i>Hyperemia as a Therapeutic Agent</i> , Chicago, IL, Roberts Publishing; 1905: 74-85.
		Blackburn J H Boemi L, Hall WW, et al. Negative-pressure dressings as a bolster for skin grafts. <i>Ann Plast Surg</i> 1998; 40: 453-7
		Brock WB, Barker DE, Burns RP. Temporary Closure of open abdominal wounds: the vacuum pack. <i>Amer Surg</i> 1995; 61: 30-5.
		Broome A, Hansson L, Lundgren F, Smedberg S. Open Treatment of Abdominal Septic Catastrophies. <i>World J. Surg</i> 1983; 7: 792-6.
		Brummelkamp WH, Taat CW, Slors JF. High-vacuum drainage and primary perineal wound closure in abdominoperineal excision of the rectum. <i>Netherlands Journal of Surgery</i> 1991; 43: 236-9.
		Defranzo, Anthony J., et al., "Vacuum-Assisted Closure for the Treatment of Degloving Injuries." <i>Plastic and Reconstructive Surgery</i> 104(7) 2145-48: (1999).
		Fleischmann W, Strecker W, Bombelli M, Kinzl L. [Vacuum sealing as treatment of soft tissue damage in open fractures]. [German] <i>Unfallchirurg</i> 1993; 96: 488-92.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

**INFORMATION
DISCLOSURE
STATEMENT**



SHEET 2 OF 5

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3-200

	Genecov DG, Schneider AM, Morykwas MJ, et al. A Controlled subatmospheric pressure dressing increases the rate of skin graft donor site reepithelialization. Ann Plast Surg 1998; 40: 219-25.
	Greer SE, Duthie E, Cartolano B, Koehler KM, Maydick-Youngberg D, Longaker MT. Techniques for Applying Subatmospheric Pressure Dressing to Wounds in Difficult Regions of Anatomy. JWOCN 1999; 26: 250-3.
	Greer SE, Kasabian A, Thorne C, Borud L, Sims CD, Hsu M. The Use of Subatmospheric Pressure Dressing to Salvage a Gustilo Grade IIIB Open Tibia Fracture with Concomitant Osteomyelitis and Avert a Free Flap. Ann Plast Surg 1998; 41: 687.
	Greer SE, Longaker MT, Margiotta M, Matthews AJ Kasabian A. The Use of Subatmospheric Pressure Dressing for the Coverage of Radial Forearm Free Flap Donor-Site Exposed Tendon Complications. Ann Plast Surg 1999; 43: 551-554.
	Greer SE, Longaker MT, Margiotta M. Preliminary Results from a Multicenter, Randomized, Controlled, Study of the Use of Subatmospheric Pressure Dressing for Pressure Ulcer Healing. Wound Repair and Regeneration 1999; 7: 255.
	Greer, Steven E., "Whither Subatmospheric Pressure Dressing?" the Institute of Reconstructive Plastic Surgery, The New York University Medical Center, New York, NY April Issue of Annals of Plastic Surgery.
	Hartnett, Jacqueline M., "Use of Vacuum-Assisted Wound Closure in Three Chronic Wounds". JWOCN 25 (6) 281-290 (1998).
	Hidden Interest -- A Special report.; When Physicians Double as Entrepreneurs. The New York times. Page 1. November 30, 1999.
	Iankov NI. Simuliatsiya konsolidatsii perelomov nizhnei cheliusti vaktuumnoi terapii. [Stimulation of consolidation of mandibular fractures by means of vacuum therapy] Russian. Stomatologija 1971; 50: 86, with Eng. Trans.
	Inoiatov IM, Aleksandrov VB. Lechenie promezhnostnoi rany posle amputatsii priamoj kishki vakuum-aspiratsiei. [Vacuum aspiration in the treatment of the perineal wound following extirpation of the rectum]. Russian. Khirurgija 1971; 47: 74-8, with English Translation.
	Kochnev Va. Primerenie vakuum-drenazhnoi sistemy dla profilaktiki posleoperatsionnykh ranevykh oslozhnenii u bol'nykh opukholiami. [The use of a vacuum drainage system in the prevention of postoperative wound complications in tumor patients]. Russian. Voprosy Onkologii 1967; 13: 102-5, w/Eng. Trans.
	M.J. Morykwas and L.C. Argenta, "Techniques in Use of V.A.C. Treatment (in English)", Acta Chir. Austriaca Supplement Nr. 150, 1998, p. 3-4.
	McCulloch JM, Kemper CC. Vacuum-Compression Therapy for the Treatment of an Ischemic Ulcer. Physical Therapy 1998; 73: 165-9.

EXAMINER'S SIGNATURE		DATE CONSIDERED
----------------------	--	--------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

**INFORMATION
DISCLOSURE
STATEMENT**

AUG 19 2003
U.S. PATENT & TRADEMARK OFFICE

SHEET 1 OF 5

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3700

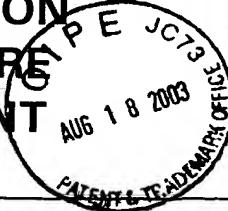
Attorney Docket Number: 0101-P00636US3

	Meara, John G., et al., "Vacuum-Assisted Closure in the Treatment of Degloving Injuries". Annals of Plastic Surgery 42(6) 589-594 (1999).
	Mendez-Eastman S. Negative pressure wound therapy. Plastic Surgical Nursing 1998; 18: 27-9.
	Mendez-Eastman, Susan., "Use of Hyperbaric Oxygen and Negative Pressure Therapy in the Multidisciplinary Care of a Patient with Nonhealing Wounds". JWOCN 26(2) 67-76 (1999).
	Mendez-Eastman, Susan., "When wounds won't heal". RN 20-24 (1998).
	Mirazimov BM, Vasina TA, Mezhericher MI. Mikroflora dlitel'no nekazhivaiushchikh ran i effektivnost' metoda vakuumirovaniia. [Microflora of prolonged non-healing wounds and the effectiveness of the vacuum evaporative method]. Russian. Khirurgiia 1967; 43: 40-3, with English Translation.
	Mirazimov BM. Svobodnaia Kozhnaie plastika stopy s podgotovkoi ranevoi poverkhnosti vakumiravaniem [Free skin graft of the foot with vacuum preparation of the wound surface]. Russian. Orthopedia Travmatologiiia i Prtoezirovanie 1966; 27: 19-22, with English Translation.
	Mirazimov BM. Vorbereitung von Wunden und Geschwuren zur Hautplastik unter Anwendung der Vakuumierung [Preparation of wounds and abcesses for dermatoplasty by means of a vacuum device]. German. Beitrage zur Orthopadie und Traumatologie 1967; 14: 224-30, with Eng. Translation.
	Mirazimov, B.M.: Free Skin Grafting of Wounds and Ulcers using the "Vacuum Treatment" Method. [Citation data not given, pp. 54-58.] with English Trans.
	Molnar, Joseph A., et al., "Single-Stage Approach to Skin Grafting the Exposed Skull". Plastic and Reconstructive Surgery 105(1): 174-177 (2000).
	Morykwas J, Argenta LC. Nonsurgical modalities to enhance healing and care of soft tissue wounds. Journal of the Southern Orthopaedic Association 1997; 6: 279-88.
	Morykwas, Michael J., et al., "Use of Subatmospheric Pressure to Prevent Progression of Partial-thikness Burns in a Swine Model". Journal of Burn Care & Rehabilitation 20 (1 Part 1): 15-21 (1999).
	Morykwas, Michael J., et al., "Use of Subatmospheric Pressure to Prevent Doxorubicin Extravasation Ulcers in a Swine Model". Journal of Surgical Oncology 72: 14-17 (1999).
	Mullner T, Mrkonjic L, Kwasny O, Vecsei V. The use of negative pressure to promote the healing of tissue defects: a clinical trial using the vacuum sealing technique [see comments]. Brit J Plast Surg 1997; 50: 194-9.
	Nakayama et al., Ann Plast. Surg., 499-502 (1991), "A New dressing Method for Free Skin Grafting in Hands"

EXAMINER'S SIGNATURE		DATE CONSIDERED
-------------------------	--	--------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

**INFORMATION
DISCLOSURE
STATEMENT**



SHEET 4 OF 5

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

*RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R-2000*

	Nakayama Y, Tomotari I, Soeda S. A New Method for the Dressing of Free Skin Grafts. <i>Plast Reconstr Surg</i> 1990; 86: 1216-1219.
	Netudykhatka O. Vliianie nizkogo dozirovannogo vakuma na techenie reparativnogo protsessa v kostnoi tkani [Effect of low vacuum on the course of the reparative process in bone tissue]. Russian. <i>Voprosy Kurortologii, Fizioterapii i Lechebnoi Fizicheskoi Kultury</i> 1972; 37: 411-5, w/Eng. Trans.
	Obdeijn, Miryam C., et al., "Vacuum-Assisted Closure in the Treatment of Poststernotomy Mediastinitis". <i>Ann Thorac Surgery</i> 68 2358-60 (1999).
	Philbeck, Thomas E., et al., "The Clinical and Cost Effectiveness of Externally Applied Negative Pressure Wound Therapy in the Treatment of Wounds in Home Healthcare Medicare Patients". <i>Ostomy/Wound Management</i> 45(11) 41-50 (1999).
	Registration Number 1982349. Owner, KCI Inc., 3440 E. Houston Street San Antonio TEXAS 78219. Source: United States Patent and Trademark Office official website. Filing date 05/01/1995 Registration Date 06/25/1996.
	Rosser, Charles J., et al., "A New Technique to Manage Perineal Wounds". <i>Infections in Urology</i> 13(2) 45-47 (2000).
	Sames CP. Sealing of wounds with vacuum drainage [letter] <i>Br Med J</i> 1977;2: 1123
	Saunders, J. W., <i>The Lancet</i> , pp. 1286-1287, June 28, 1952, "Negative-Pressure Device for Controlled Hypotension during Surgical Operations".
	Schneider, Andrew M., et al., "A New and Reliable Method of Securing Skin Grafts to the Difficult Recipient Bed". <i>Plastic and reconstructive Surgery</i> 102(4) 1195-98 (1998).
	Schein M, Saadia R, Jameson JR, Decker GAG. the "sandwich technique" in the Management of the Open Abdomen. <i>Br J Surg</i> 1986; 73: 369-70.
	Teder H, Sanden G, Svedman P. Continuous Wound Irrigation in the Pig. <i>J Invest Surg</i> 1990, 3: 399-407.
	Valenta AL. Using the vacuum dressing alternative for difficult wounds. <i>American Journal of Nursing</i> 1994; 94: 44-5.
	Vatanasapt V, Areemit S, Jeeravipoolvarn P, et al. Red rubber bulb, cheap and effective vacuum drainage. <i>Journal of the Medical Association of Thailand</i> 1989; 72: 193-7.
	Volkov LA. Ispol'zovanie vakuum-drenazhnoi sistemy v khirurgicheskoi praktike. [Use of vacuum-drainage system in surgical practice]. Russian. <i>Klinicheskaiia Khirurgiia</i> . 1973;7: 54-55, with English Translation.
	Smith LA, Barker DE, Chase CW, et al. Vacuum Pack Technique of Temporary Abdominal Closure: A Four-Year Experience. <i>Amer Surg</i> 1997; 63: 1102-8.
	Notice of Opposition to European Patent Number 0688189 dated June 12, 2001

EXAMINER'S SIGNATURE		DATE CONSIDERED	
----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

**INFORMATION
DISCLOSURE
STATEMENT**



SHEET 5 OF 5

Complete if known

Application Number: 09/026,353

Filing Date: February 19, 1998

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: John P. Lacyk

Attorney Docket Number: 0101-P00636US3

RECEIVED
AUG 21 2003
TECHNOLOGY CENTER R3700

		Letter Supplemental to Notice of Opposition to European Patent Number 0688189 dated November 12, 2002
		Interlocutory decision in Opposition proceedings in favor of patentee (Wake Forest -- Argenta, et al.) Dated: February 17, 2003
		Opposer's Appeal from Interlocutory decision - Dated: July 4, 2003

EXAMINER'S SIGNATURE		DATE CONSIDERED	
----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.